

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

RECEIVED  
REGIONAL HEARING CLERK  
2007 OCT -3 PM 2:25

IN THE MATTER OF: )  
)  
NORMAN MANUFACTURING ) Docket No. FIFRA-05-2007-0030  
COMPANY )  
)  
Respondent. )

NOTICE OF RECEIPT OF CORRESPONDENCE

The undersigned has received the attached letter, dated September 25, 2007, from the Respondent. A certificate of service did not accompany the correspondence and it is therefore unclear whether the original thereof has been filed with the Regional Hearing Clerk and whether the Respondent has been served with a copy of the correspondence.

The Consolidated Rules of Practice, 40 C.F.R. Part 22 (Rules), which govern this proceeding, provide that the original of all documents served in connection with this action shall be filed with the Regional Hearing Clerk, and that a copy of such documents be served on all other parties and the Presiding Officer. 40 C.F.R. § 22.5(a)(1). In addition, 40 C.F.R. § 22.5(a)(3) requires that a "certificate of service" be attached to such documents evidencing such service. The Rules provide that "Any ex parte memorandum or other communication addressed to the . . . Presiding Officer during the pendency of this proceeding and relating to the merits thereof, by or on behalf of any party shall be regarded as argument made in the proceeding and shall be served on all other parties." 40 C.F.R. § 22.8.

The letter does not relate to the merits of this proceeding. However, as a courtesy, by its attachment hereto it is being served upon Complainant.



Susan L. Biro  
Chief Administrative Law Judge

Dated: October 1, 2007  
Washington, D.C.

September 25, 2007

ATTN. SUSAN L. BIRO  
CHIEF ADMINISTRATIVE LAW JUDGE  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

RE: NORMAN MANUFACTURING CO.  
DOCKET NO. FIFRA-05-2007-0300

RECEIVED  
SEP 27 11:19

Judge Biro

Upon receipt of your letter (Order to Show Cause) dated September 18, I telephoned Mr. Joseph Lukascyk of Region 5 in Chicago as he, along with Mr. Luis Oviedo have been my primary contacts. Mr. Lukascyk was not in and I did not talk to him until the afternoon of 9/25/07.

At the time of our conversation, Mr. Lukascyk noted that your letter was actually out of Washington, D.C. as opposed to Chicago. I asked Mr. Lukascyk as to what else was needed and he advised me that his office was notifying what I believe is your office that a settlement had been reached, but if I wished to telephone you to respond I certainly could.

As there was no telephone number listed in your letter, I'm mailing this response.

Thank You.

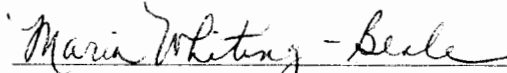


Don Garant

In the Matter of Norman Manufacturing Company, Respondent  
Docket No. FIFRA-05-2007-0030

CERTIFICATE OF SERVICE

I certify that the foregoing **Notice of Receipt Of Correspondence**, dated October 1, 2007, was sent this day in the following manner to the addressees listed below.

  
Maria Whiting-Beale  
Legal Staff Assistant

Dated: October 2, 2007

Original And One Copy By Pouch Mail To:

Sonja Brooks-Woodard  
Regional Hearing Clerk  
U.S. EPA  
77 West Jackson Boulevard, E-13J  
Chicago, IL 60604-3590

Copy By Pouch Mail To:

Luis Oviedo, Esquire  
Associate Regional Counsel  
U.S. EPA  
77 West Jackson Boulevard, C-14J  
Chicago, IL 60604-3590

Copy By Regular Mail To:

Don Garant  
19151 Mapleview  
Detroit, MI 48205

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